

BILL NO. Z-72-11-08

ZONING MAP ORDINANCE NO. Z Ordinance

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-17.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-17 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A parcel of land in Allen County, Indiana, and described in particular as follows:

Beginning at a point on the West line of Section 24, Township 31 North, Range 12 East, in said County and State and 1510.5 feet North of the West Quarter corner of said Section 24; thence North 89 degrees 58 minutes East a distance of 290.4 feet to an iron pin; thence South 0 degrees 00 minutes West a distance of 400.0 feet to an iron pin; thence South 89 degrees 58 minutes West a distance of 290.4 feet to a hole in the centerline of the concrete pavement (U.S. No. 27); thence North 0 degrees 00 minutes East a distance of 400.0 feet to the place of beginning; and containing 2 2/3 acres, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus Jr.
Councilman

APPROVED AS TO FORM
AND LEGALITY
Walter B. Allen
CITY ATTORNEY

Read the first time in full and on motion by James seconded by Oliver and duly adopted, read the second time by title and referred to the Committee on Regulations (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on~~ the day of 19 , at o'clock P.M., E.S.T.

Date: 11-14-72

Charles W. Titusman
CITY CLERK

Read the third time in full and on motion by seconded by and duly adopted, placed on its passage.
Passed (LOST) by the following vote:

| AYES | NAYS | ABSTAINED | ABSENT | to-wit: |
|-------------|------|-----------|--------|---------|
| Burns | | | | |
| Hinga | | | | |
| Kraus | | | | |
| Nuckols | | | | |
| Moses | | | | |
| Schmidt, D. | | | | |
| Schmidt, V. | | | | |
| Stier | | | | |
| Talarico | | | | |

Date 1-9-73

Charles W. Titusman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. on the day of , 19 .

ATTEST: (SEAL)

Charles W. Titusman
CITY CLERK

W. J. [Signature]
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the day of , 19 - at the hour of o'clock P.M., E.S.T.

Charles W. Titusman
CITY CLERK

Approved and signed by me this day of , 1972 at the hour of o'clock m., E.S.T.

MAYOR

WITHDRAWAL OF 2-72-11-08 ORDINANCE NO. _____

On motion by Councilman _____, BILL NO. _____
seconded by _____,

that this Ordinance No. _____, is hereby withdrawn for no further
action by the Common Council of the City of Fort Wayne, Indiana, on Bill No.
_____.

WITHDRAWN by the following vote:

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> | <u>to-wit</u> |
|-------------------|-------------|-------------|------------------|---------------|---------------|
| <u>BURNS</u> | _____ | _____ | _____ | _____ | _____ |
| <u>HINGA</u> | _____ | _____ | _____ | _____ | _____ |
| <u>KRAUS</u> | _____ | _____ | _____ | _____ | _____ |
| <u>NUCKOLS</u> | _____ | _____ | _____ | _____ | _____ |
| <u>MOSES</u> | _____ | _____ | _____ | _____ | _____ |
| <u>D. SCHMIDT</u> | _____ | _____ | _____ | _____ | _____ |
| <u>V. SCHMIDT</u> | _____ | _____ | _____ | _____ | _____ |
| <u>STIER</u> | _____ | _____ | _____ | _____ | _____ |
| <u>TALARICO</u> | _____ | _____ | _____ | _____ | _____ |

DATE: 1-9-73 Charles W. Whitcomb
CITY CLERK

ATTEST: (SEAL)

William A. Wozniak
PRESIDING OFFICER

Charles W. Whitcomb
CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 14, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-11-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and

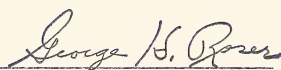
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 20, 1972;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 27, 1972.

Certified and signed this
28th day of November, 1972.



George H. Roser
Secretary

Bill No. Z-72-11-08

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. B-17

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance With Am. PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

DATE 1-9-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

No 159

GENERAL FUND

FT. WAYNE, IND.,

9/5 1972

RECEIVED FROM

Hoffman, Moppert, Solomon & Miller \$ 5000

THE SUM OF

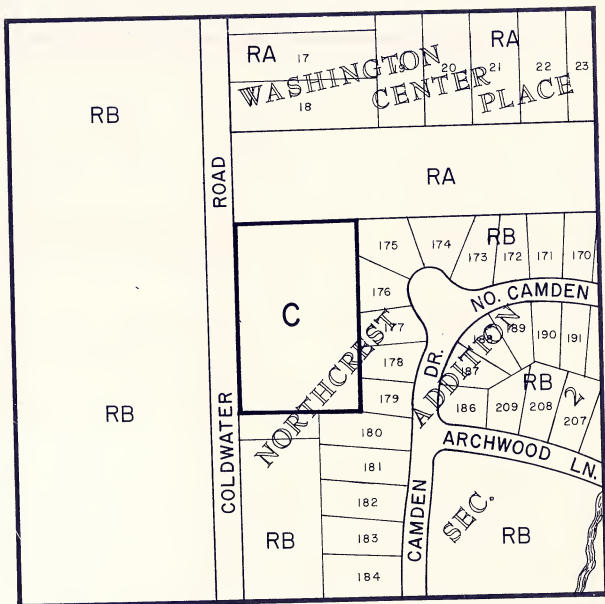
Fifty $\frac{00}{100}$ DOLLARS

ON ACCOUNT OF

Parcel of land Beginning W line
of Sec 24-31-12 E etc (Wm + M. Jack)

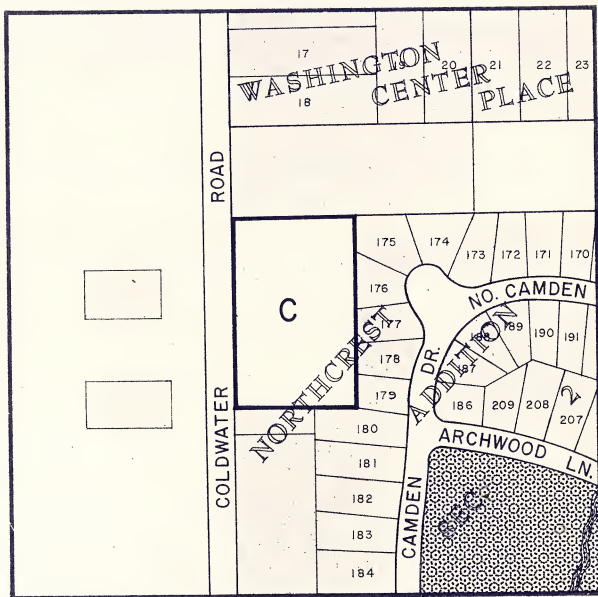
M. Hartman

AUTHORIZED SIGNATURE



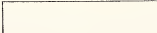


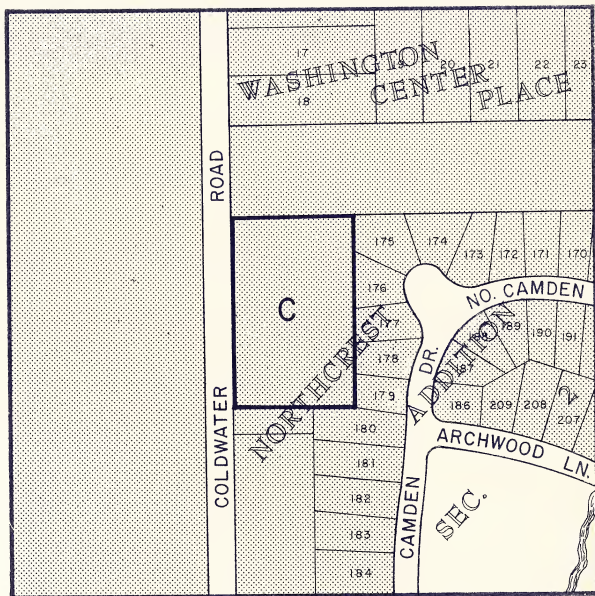
C CHANGE FROM RB TO B3B N

Z-72-11-08



EXISTING LAND USE MAP.

-  — LOW DENSITY RESIDENTIAL
-  — EDUCATIONAL
-  — OPEN LAND



PROPOSED LAND USE MAP



— LOW DENSITY RESIDENTIAL



— PUBLIC AND SEMI-PUBLIC

Z-75-11-08

PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Receipt No. _____
Date Filed _____
Intended Use _____

I/We William Arthur Junk and Mary Jane Junk

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RB District to a/an B3B District the property described as follows:

A parcel of land in Allen County, Indiana, and described in particular as follows:

Beginning at a point on the West line of Section 24, Township 31 North, Range 12 East, in said County and State and 1510.5 feet North of the West Quarter corner of said Section 24; thence North 89 degrees 58 minutes East a distance of 290.4 feet to an iron pin; thence South 0 degrees 00 minutes West a distance of 400.0 feet to an iron pin; thence South 89 degrees 58 minutes West a distance of 290.4 feet to a hole in the centerline of the concrete pavement (U.S. No. 27); thence North 0 degrees 00 minutes East a distance of 400.0 feet to the place of beginning; and containing 2 2/3 acres, more or less.

(Legal Description)

A parcel of ground containing 2 2/3 acres, more or less, located on the east side of Coldwater Road, approximately 475 feet north of Essex Lane.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Mary Jane Junk

5718 Brighton Drive

William Arthur Junk

5718 Brighton Drive

(Name)

(Address)

(Signature)

Legal Description Checked By: Mary Jane Junk

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:
(James R. Solomon)

Hoffman, Moppert, Solomon 1212 Anthony Wayne Bank (219) 423-3331
& Miller (Name) (Address) (Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____
Intended Use _____

I/We William Arthur Junk and Mary Jane Junk
(Applicant's Name or Names)

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feet to an iron pin; thence South 0 degrees 00 minutes West a distance of 400.0
feet to an iron pin; thence South 89 degrees 58 minutes West a distance of 290.4
feet to a hole in the centerline of the concrete pavement (U.S. No. 27); thence
North 0 degrees 00 minutes East a distance of 400.0 feet to the place of be-
ginning; and containing 2 2/3 acres, more or less.

(Legal Description)

TRACT - 21 SEC 24 HOMER MITCHELL

A parcel of Ground containing 2 2/3 acres, more or less, located on the
east side of Coldwater Road, approximately 475 feet north of Essex Lane.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

| | |
|----------------------------|----------------------------|
| <u>Mary Jane Junk</u> | <u>5718 Brighton Drive</u> |
| <u>William Arthur Junk</u> | <u>5718 Brighton Drive</u> |
| (Name) | (Address) |

Mary Jane Junk
William Arthur Junk
(Signature)

Legal Description Checked By: Gray, Doctor
(City Engineer)

NOTE FOLLOWING RULES:

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Name and address of preparer, attorney or agent:
(James R. Solomon)

| | | |
|----------------------------------|--------------------------------|-----------------------|
| <u>Hoffman, Moppert, Solomon</u> | <u>1212 Anthony Wayne Bank</u> | <u>(219) 423-3331</u> |
| & Millie (Name) | (Address) | (Telephone Number) |

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

HOFFMAN, MOPPERT, SOLOMON & MILLER

ATTORNEYS AT LAW

SUITE 1212 ANTHONY WAYNE BANK BUILDING

FORT WAYNE, INDIANA 46802

JOHN C. HOFFMAN (1960)

JOHN E. HOFFMAN

EDWARD J. MOPPERT

JAMES R. SOLOMON

LARRY T. MILLER

ROBERT L. THOMPSON

TELEPHONE 423-3331

AREA CODE 219

~~December 1972~~
January 9, 1973

TO: CLERK OF CITY OF FORT WAYNE, INDIANA and
THE COMMON COUNCIL

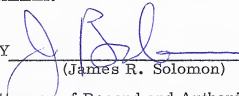
RE: Withdrawal of Bill No. 72Z72-11-08
Petitioners: William and Mary Junk

The undersigned is the Attorney of record and authorized agent of the above Petitioners; the purpose of this letter is to withdraw the above-captioned Bill from your consideration prior to taking any action in voting upon same, with regard to confirming or overruling the City Plan Commission's recommendation.

Yours very truly,

HOFFMAN, MOPPERT, SOLOMON &
MILLER

BY


(James R. Solomon)

Attorney of Record and Authorized Agent for
William and Mary Junk

JRS:mdb

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

OCTOBER 16, 1972

Mr. Ralph Blume
344 Utility Building
Fort Wayne, Indiana 46802

Dear Ralph:

The forwarding of this petition to rezone was delayed because of the existing requirement for a thorough check of the description by the City Engineering Department.

We received this petition on SEPTEMBER 5, 1972.

It would be appreciated if this petition could be assigned a Bill Number in the order that the request came to us.

Sincerely,

CITY PLAN COMMISSION

Roger L. Smith
Roger L. Smith

RLS:pb

2-72-11-08

We, the undersigned, being residents or property owners in Northeast Housing District, strenuously object to the proposed rezoning of 2 acres bordering on Coldwater Road, North of Essex Lane.

Name

Address

1. Herald H. McBurney 511 Camden Dr.
2. Virginia L. Ford 517 N. Camden Dr.
3. LeRoy Lenthimer 525 N. Camden Dr.
4. Irene Bauer 605 N. Camden Dr.
5. Don Bauer 605 N. Camden Dr.
6. Terry Smith 615 N. Camden Dr.
7. Pat Ratt 701 N. Camden Dr.
8. Dorthy Kitzmann 707 N. Camden Dr.
9. Elsie Clemm 711 N. Camden Dr.
10. Mrs. Vernon Smith 719 N. Camden
11. J. Seple 725 N. Camden
12. Ron E. Hotton 720 N. Camden
13. Rupert Kay Skips 710 N. Camden
14. Joan Mavor 704 N. Camden Dr.
15. James B. Wain 704 N. Camden Dr.
16. Don L. B. Piquet 610 N. Camden Dr.
17. Marjorie Aughenbaugh 616 N. Camden Dr.
18. Dean R. Jones 518 N. Camden Dr.
19. Vonnie R. Jones 518 N. Camden Dr.
20. Mary A. Baum 512 N. Camden Dr.
21. X. Smith 504 N. Camden
22. Jay Elzoido 6444 Archwood Ln.
23. Larry Elzoido 5444 Archwood Ln.
24. Jack R. Wilkins 5440 Archwood Ln.
25. Helma M. Thione 5432 Archwood Ln.
26. R. A. Bailey 5424 Archwood Lane
27. Mona A. Bailey
28. Myron V. Hackenjos
29. Alice Jensen
30. Anne Burr
31. Edna L. Thompson (f.) 5412 Archwood Lane
32. John McKay 5408 Archwood Lane
33. Sharon M. Kay 5315 Camden Dr.
34. Mrs. J. K. Melikan 5321 Camden Dr., F.E. Wagner
35. Thomas M. Green 5319 Camden Dr.

521 N. Camden Dr.

WE, the undersigned, being residents or property owners in Northcrest Housing District, strenuously object to the proposed rezoning of 2 acres bordering on Coldwater Road, North of Essex Lane.

- | | |
|----------------------|-------------------|
| 1. Marilyn K. Green | 521 N. Camden Dr. |
| 2 William H Brown Jr | 509 N. Camden Dr. |
| Julia F. Nagel | 515 N. Camden Dr. |

DIGEST SHEETTITLE OF ORDINANCE Zoning Map Amendment OrdinanceDEPARTMENT REQUESTING ORDINANCE City Plan CommissionSYNOPSIS OF ORDINANCE Preparation of a Zoning Map Amendment Ordinance
petition initiated by property owners to rezone property located as follows:A parcel of ground containing 2 2/3 acres, more or less, located on the east
side of Coldwater Road, approximately 475 feet north of Essex Lane.From "RB" to "B3B"

EFFECT OF PASSAGE _____

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

| | |
|---|---------------------|
| BILL NO. | 2-72-11-08 |
| ORDINANCE NO. | |
| <input checked="" type="checkbox"/> REGULAR SESSION | |
| <input type="checkbox"/> SPECIAL SESSION | |
| APPROVED AS TO FORM AND LEGALITY | Keller |
| BILL WRITTEN BY | City Plan |
| DATE INTRODUCED | 11-14-72 |
| REFERRED TO SAID STANDING COMMITTEE | BURNS Regulation |
| REFERRED TO CITY PLAN | 11-14-72 |
| LEGAL PUBLIC HEARING | |
| LEGAL PUBLICATION | |
| JOINT HEARING | |
| DEPARTMENT HEARING | |
| HOLD FILE | |
| PASS | |
| DO NOT PASS | |
| <input checked="" type="checkbox"/> WITHDRAWN | 1-9-73 |
| SUSPENSION OF RULES | |
| PRIOR APPROVAL | |
| ORDINANCE TAKEN OUT OF OFFICE | |
| OTHER INSTRUCTIONS REGARDING ORDINANCE | |
| CORRECTIONS MADE TO ORDINANCE | |
| PEOPLE SPEAKING FOR ORDINANCE | |
| PEOPLE SPEAKING AGAINST ORDINANCE | |

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | COMMITTEE SHEET |
| <input checked="" type="checkbox"/> | VOTE SHEET |
| | PURCHASE ORDERS |
| | Petitions |
| | BIDS |
| | ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM |
| | LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY |
| | COMMUNICATIONS FROM City Plan |
| <input checked="" type="checkbox"/> | ZONING MAPS |
| | ABSTRACTS |
| | TABLES Petitions |
| | PRIOR APPROVAL LETTER |

Deputy Clerk

COUNCILMAN'S VOTE

| | AYES | NAYS | ABSENT |
|------------|------|------|--------|
| BURNS | | | |
| HINGA | | | |
| KRAUS | | | |
| MOSES | | | |
| NUCKOLS | | | |
| D. SCHMIDT | | | |
| V. SCHMIDT | | | |
| STIER | | | |
| TALARICO | | | |

COMMENTS:

Letter of Withdrawal